

1 amending s. 282.0041, F.S.; revising and
2 providing definitions; creating s. 282.0055,
3 F.S.; providing for the Agency for Enterprise
4 Information Technology to oversee information
5 technology services that are common to all
6 executive branch agencies and for agency
7 information technology services to be
8 responsible for information technology within
9 an individual state agency; creating s.
10 282.0056, F.S.; requiring the Agency for
11 Enterprise Information Technology to develop a
12 work plan; requiring that the work plan be
13 approved by the Governor and Cabinet and
14 submitted to the Legislature; requiring that
15 certain specified policies be included in the
16 initial work plan; requiring that the agency
17 develop policy recommendations and strategies
18 for consolidating computer rooms and data
19 centers; requiring each state agency to provide
20 assistance in the development of the work plan
21 upon request; amending s. 282.20, F.S.;
22 transferring management of the Technology
23 Resource Center from the State Technology
24 Office to the Department of Management
25 Services; revising the duties of the center to
26 conform to changes made by the act; requiring
27 that the center submit its service rates and
28 cost-allocation plan to the Agency for
29 Enterprise Information Technology for review
30 and approval; amending s. 282.3055, F.S.;
31 revising the duties of the agency chief

1 information officers; amending s. 282.315,
2 F.S.; revising the duties of the Agency Chief
3 Information Officers Council; requiring that
4 the council assist the Agency for Enterprise
5 Information Technology in developing strategies
6 for information technology services and
7 projects and make policy recommendations;
8 revising the membership of the council;
9 providing for the appointment of a chair, vice
10 chair, and secretary; amending s. 282.318,
11 F.S.; providing duties of the Agency for
12 Enterprise Information Technology with respect
13 to the security of data and information
14 technology resources; requiring state agencies
15 to conduct a comprehensive risk analysis at
16 specified intervals, develop and update
17 internal policies and procedures, and ensure
18 compliance with certain security requirements;
19 requiring the Agency for Enterprise Information
20 Technology to designate a chief information
21 security officer, develop standards for risk
22 analyses and security audits, and provide
23 training for agency information security
24 managers; providing rulemaking authority;
25 deleting provisions specifying duties of the
26 Department of Management Services to conform to
27 changes made by the act; amending s. 282.322,
28 F.S.; requiring that the Agency for Enterprise
29 Information Technology perform contract
30 monitoring duties formerly performed by the
31 Enterprise Project Management Office of the

1 State Technology Office; amending s. 216.023,
2 F.S.; requiring that certain legislative budget
3 requests include the statutory reference to the
4 policy requiring a new information technology
5 project; providing for the transfer of
6 specified duties from the State Technology
7 Office to the Department of Management
8 Services; repealing ss. 186.022, 282.005,
9 282.101, 282.102, 282.23, 282.3031, 282.3032,
10 282.3063, 282.310, and 287.057(24), F.S.,
11 relating to information technology strategic
12 plans, duties of the State Technology Office,
13 the State Strategic Information Technology
14 Alliance, information resources management
15 responsibilities, guiding principles, the
16 Agency Annual Enterprise Resource Planning and
17 Management Report, the State Annual Report on
18 Enterprise Resource Planning and Management,
19 and state strategic information technology
20 alliances; amending ss. 215.95, 215.96,
21 282.103, 282.107, 339.155, 381.90, 403.973,
22 408.05, 420.0003, 420.511, 943.08, and 1001.26,
23 F.S., relating to the Financial Management
24 Information Board and its coordination council,
25 the SUNCOM Network, transportation planning,
26 the Health Information Systems Council,
27 expedited permitting, the Florida Center for
28 Health Information and Policy Analysis, the
29 state housing strategy and the Florida Housing
30 Finance Corporation, the Criminal and Juvenile
31 Justice Information System Council, and the

1 public broadcasting program system; conforming
2 cross-references and other references to
3 provisions repealed by the act; providing
4 appropriations and providing additional
5 positions; providing an effective date.
6

7 Be It Enacted by the Legislature of the State of Florida:
8

9 Section 1. Section 14.204, Florida Statutes, is
10 created to read:

11 14.204 Agency for Enterprise Information
12 Technology.--The Agency for Enterprise Information Technology
13 is created within the Executive Office of the Governor. The
14 head of the agency shall be the Governor and Cabinet, which
15 shall take action by majority vote consisting of at least
16 three affirmative votes with the Governor on the prevailing
17 side. The agency shall be a separate budget entity that is not
18 subject to control, supervision, or direction by the Executive
19 Office of the Governor in any manner, including, but not
20 limited to, purchasing, transactions involving real or
21 personal property, personnel, or budgetary matters.

22 (1) The executive director of the agency shall be
23 appointed by the Governor and Cabinet, is subject to
24 confirmation by the Senate, and shall serve at the pleasure of
25 the Governor and Cabinet. The executive director shall be the
26 chief information officer of the state and the executive
27 sponsor for all enterprise information technology projects.
28 The executive director must have an undergraduate degree in an
29 information technology-related discipline from an accredited
30 postsecondary institution, and at least 7 years of
31 executive-level experience having responsibility for the

1 planning, budgeting, and management of information technology
2 professionals in an enterprise environment.

3 (2) The agency shall have the following duties and
4 responsibilities:

5 (a) Develop and implement strategies for the design,
6 delivery, and management of the enterprise information
7 technology services established in law.

8 (b) Monitor the delivery and management of the
9 enterprise information technology services as identified in
10 law.

11 (c) Make recommendations to the agency head and the
12 Legislature concerning other information technology services
13 that should be designed, delivered, and managed at the
14 enterprise level as defined in s. 282.0041(6).

15 (d) Plan and manage statutorily authorized enterprise
16 information technology projects, which includes developing
17 business cases that, when applicable, include the components
18 identified in s. 287.0574; establishing and coordinating
19 project-management teams; establishing formal risk-assessment
20 and mitigation processes; and providing for independent
21 monitoring of projects for recommended corrective actions.

22 (e) Provide project-management resources and
23 assistance to state agencies for information technology
24 projects that are designated as high-risk pursuant to s.
25 282.322.

26 (f) Not earlier than July 1, 2008, define the
27 architecture standards for enterprise information technology
28 and develop implementation approaches for statewide migration
29 to those standards.

30 (g) Analyze the effect of new investments of
31 enterprise information technology on existing information

1 technology and complete assessments of the capability of the
2 enterprise information technology.

3 (h) Identify needs for professional development and
4 training and provide opportunities for agency chief
5 information officers which focus on aligning the operational
6 activities of each state agency's information technology with
7 best practices, standards, and project-management
8 methodologies that promote sustainable and repeatable
9 processes.

10 (i) Develop and publish an enterprise strategic
11 information technology plan that identifies and recommends
12 strategies for how enterprise information technology will
13 deliver effective and efficient government services to state
14 residents and improve the operations of state agencies.

15 (3) The agency shall operate in such a manner as to
16 ensure participation and representation of state agencies and
17 the Agency Chief Information Officers Council established in
18 s. 282.315.

19 Section 2. Section 20.22, Florida Statutes, is amended
20 to read:

21 20.22 Department of Management Services.--There is
22 created a Department of Management Services.

23 (1) The head of the Department of Management Services
24 is the Secretary of Management Services, who shall be
25 appointed by the Governor, subject to confirmation by the
26 Senate, and shall serve at the pleasure of the Governor.

27 (2) The following divisions and programs within the
28 Department of Management Services are established:

29 (a) Facilities Program.

30 ~~(b) State Technology Office.~~

31 ~~(b)(c)~~ Workforce Program.

- 1 ~~(c)(d)~~1. Support Program.
2 2. Federal Property Assistance Program.
3 ~~(d)(e)~~ Administration Program.
4 ~~(e)(f)~~ Division of Administrative Hearings.
5 ~~(f)(g)~~ Division of Retirement.
6 ~~(g)(h)~~ Division of State Group Insurance.
7 ~~(3)~~ ~~The State Technology Office shall operate and~~
8 ~~manage the Technology Resource Center.~~

9 ~~(3)(4)~~ The duties of the Chief Labor Negotiator shall
10 be determined by the Secretary of Management Services, and
11 must include, but need not be limited to, the representation
12 of the Governor as the public employer in collective
13 bargaining negotiations pursuant to the provisions of chapter
14 447.

15 Section 3. Section 216.0446, Florida Statutes, is
16 amended to read:

17 216.0446 Review of information technology resources
18 ~~management~~ needs.--

19 (1) There is created within the Legislature the
20 Technology Review Workgroup. The workgroup ~~and the State~~
21 ~~Technology Office~~ shall ~~independently~~ review and make
22 recommendations with respect to the portion of agencies'
23 long-range program plans which pertains to information
24 technology resources ~~management~~ needs and with respect to
25 agencies' legislative budget requests for information
26 technology and related resources. The Technology Review
27 Workgroup shall report such recommendations, together with the
28 findings and conclusions on which such recommendations are
29 based, to the Legislative Budget Commission. ~~The State~~
30 ~~Technology Office shall report such recommendations, together~~
31 ~~with the findings and conclusions on which such~~

1 ~~recommendations are based, to the Executive Office of the~~
2 ~~Governor and to the chairs of the legislative appropriations~~
3 ~~committees.~~

4 (2) In addition to its primary duty specified in
5 subsection (1), the Technology Review Workgroup shall have
6 powers and duties that include, but are not limited to, the
7 following:

8 (a) To evaluate the information technology ~~resource~~
9 ~~management~~ needs identified in the agency long-range program
10 ~~plans for consistency with the State Annual Report on~~
11 ~~Enterprise Resource Planning and Management and statewide~~
12 ~~policies recommended by the State Technology Office,~~ and make
13 recommendations to the Legislative Budget Commission.

14 (b) To review and make recommendations to the
15 Legislative Budget Commission on proposed budget amendments
16 and agency transfers associated with information technology
17 initiatives or projects that involve more than one agency,
18 that have an outcome that impacts another agency, that exceed
19 \$500,000 in total cost over a 1-year period, or that are
20 requested by the Legislative Budget Commission to be reviewed.

21 Section 4. Section 282.0041, Florida Statutes, is
22 amended to read:

23 282.0041 Definitions.--For the purposes of this part,
24 the term:

25 (1) "Agency" means those entities described in s.
26 216.011(1)(qq).

27 ~~(2) "Agency Annual Enterprise Resource Planning and~~
28 ~~Management Report" means the report prepared by each Agency~~
29 ~~Chief Information Officer as required by s. 282.3063.~~

30 ~~(2)(3)~~ (2) "Agency Chief Information Officer" means the
31 person appointed by the agency head ~~State Technology Office~~ to

1 coordinate and manage the information technology functions
2 ~~policies~~ and responsibilities ~~activities~~ applicable to that
3 agency and to participate and represent his or her agency in
4 developing strategies for implementing enterprise information
5 technology services identified in law and developing
6 recommendations for enterprise information technology policy.

7 (3)(4) "Agency Chief Information Officers Council"
8 means the council created in s. 282.315 ~~to facilitate the~~
9 ~~sharing and coordination of information technology issues and~~
10 ~~initiatives among the agencies.~~

11 (4) "Agency for Enterprise Information Technology"
12 means the agency created in s. 14.204.

13 (5) "Agency information technology service" means a
14 service that directly helps the agency fulfill its statutory
15 or constitutional responsibilities and policy objectives and
16 is usually associated with the agency's primary or core
17 business functions.

18 (6) "Customer relationship management" or "CRM" means
19 the business processes, software, and Internet companies that
20 can help state agencies manage customer relationships of the
21 organization at the enterprise level.

22 (7) "Enterprise level" means all executive branch
23 agencies created or authorized in statute to perform
24 legislatively delegated functions.

25 (8) "Enterprise information technology service" means
26 an information technology service that is common among
27 agencies and is designed, delivered, and managed at the
28 enterprise level.

29 (9) "E-mail, messaging, and calendaring service" means
30 the enterprise information technology service that enables
31

1 users to send, receive, file, store, manage, and retrieve
2 electronic messages, attachments, appointments, and addresses.

3 ~~(5) "Enterprise resources management infrastructure"~~
4 ~~means the hardware, software, networks, data, human resources,~~
5 ~~policies, standards, facilities, maintenance, and related~~
6 ~~materials and services that are required to support the~~
7 ~~business processes of an agency or state enterprise.~~

8 ~~(6) "Enterprise resource planning and management"~~
9 ~~means the planning, budgeting, acquiring, developing,~~
10 ~~organizing, directing, training, control, and related services~~
11 ~~associated with government information technology. The term~~
12 ~~encompasses information and related resources, as well as the~~
13 ~~controls associated with their acquisition, development,~~
14 ~~dissemination, and use.~~

15 ~~(10)(7)~~ "Information technology" means equipment,
16 hardware, software, firmware, programs, systems, networks,
17 infrastructure, media, and related material used to
18 automatically, electronically, and wirelessly collect,
19 receive, access, transmit, display, store, record, retrieve,
20 analyze, evaluate, process, classify, manipulate, manage,
21 assimilate, control, communicate, exchange, convert, converge,
22 interface, switch, or disseminate information of any kind or
23 form.

24 (11) "Information technology policy" means statements
25 that describe clear choices for how information technology
26 will deliver effective and efficient government services to
27 residents and improve state agency operations. Such a policy
28 may relate to investments, business applications,
29 architecture, or infrastructure. A policy describes its
30 rationale, implications of compliance or noncompliance, the
31 timeline for implementation, metrics for determining

1 compliance, and the accountable structure responsible for its
2 implementation.

3 ~~(12)(8)~~ "Project" means an undertaking directed at the
4 accomplishment of a strategic objective relating to enterprise
5 resources management or a specific appropriated program.

6 ~~(9)~~ ~~"State Annual Report on Enterprise Resource~~
7 ~~Planning and Management" means the report prepared by the~~
8 ~~State Technology Office as defined in s. 282.102.~~

9 ~~(13)(10)~~ "Standards" means the use of current, open,
10 nonproprietary, or non-vendor-specific technologies.

11 ~~(11)~~ ~~"State Technology Office" or "office" means the~~
12 ~~office created in s. 282.102.~~

13 ~~(14)(12)~~ "Total cost" means all costs associated with
14 information technology projects or initiatives, including, but
15 not limited to, value of hardware, software, service,
16 maintenance, incremental personnel, and facilities. Total
17 cost of a loan or gift of information technology resources to
18 an agency includes the fair market value of the resources,
19 except that the total cost of loans or gifts of information
20 technology to state universities to be used in instruction or
21 research does not include fair market value.

22 Section 5. Section 282.0055, Florida Statutes, is
23 created to read:

24 282.0055 Assignment of information technology.--In
25 order to ensure the most effective and efficient use of the
26 state's information technology and information technology
27 resources and notwithstanding other provisions of law to the
28 contrary, the design, delivery, and management of the
29 enterprise information technology services defined in s.
30 282.0041(7) shall be the responsibility of the Agency for
31 Enterprise Information Technology for executive branch

1 agencies created or authorized in statute to perform
2 legislatively delegated functions. The design, delivery, and
3 management of the agency information technology services
4 defined in s. 282.0041(5) shall be the responsibility of the
5 individual state agency.

6 Section 6. Section 282.0056, Florida Statutes, is
7 created to read:

8 282.0056 Development of work plan.--

9 (1) For purposes of carrying out its responsibilities
10 set forth in s. 282.0055, the Agency for Enterprise
11 Information Technology shall develop a work plan describing
12 the activities that the agency intends to undertake and the
13 proposed outcomes. The work plan must be approved by the
14 agency head and submitted to the President of the Senate and
15 the Speaker of the House of Representatives. The work plan may
16 be amended as needed to ensure that the enterprise information
17 technology services will be provided in an efficient,
18 effective, and accountable manner. For the 2007-2008 fiscal
19 year, the agency's work plan shall include the development of
20 recommended information technology policies, as defined in s.
21 282.0041(11), and implementation plans for up to three of the
22 following in each of the fiscal years beginning in 2008-2009:

23 (a) Consolidation of the deployment, management, and
24 operation of state-owned or state-operated computer rooms and
25 data centers.

26 (b) A shared or consolidated enterprise information
27 technology service delivery and support model for the e-mail,
28 messaging, and calendaring service defined in s. 282.0041(9).

29 (c) Information security.

30 (d) A shared customer relationship management system
31 that consolidates agency requirements for receiving, managing,

1 responding to, tracking, and reporting on telephone, e-mail,
2 personnel, and other communications received from citizens.

3 (e) Consideration of a planned replacement cycle for
4 computer equipment.

5 (2) In developing policy recommendations and
6 implementation plans for current and proposed enterprise
7 information technology services, the agency shall describe the
8 scope of operation, conduct costs and requirements analyses,
9 conduct an inventory of all existing information technology
10 resources that are associated with each service, and develop
11 strategies and timeframes for statewide migration. For
12 purposes of consolidating state-owned or state-operated
13 computer rooms and data centers, the Agency for Enterprise
14 Information Technology shall develop a migration plan that
15 ensures the migration of at least three computer rooms or data
16 centers each fiscal year.

17 (3) For the purpose of completing its work activities,
18 each state agency shall provide to the Agency for Enterprise
19 Information Technology all requested information, including,
20 but not limited to, the agency's costs, service requirements,
21 and equipment inventories.

22 Section 7. Section 282.20, Florida Statutes, is
23 amended to read:

24 282.20 Technology Resource Center.--

25 (1)(a) The Department of Management Services State
26 ~~Technology Office~~ shall operate and manage the Technology
27 Resource Center.

28 (b) For the purposes of this section, the term:

29 1. "Information-system utility" means a full-service
30 information-processing facility offering hardware, software,
31 operations, integration, networking, and consulting services.

1 2. "Customer" means a state agency or other entity
2 which is authorized to utilize the SUNCOM Network pursuant to
3 this part.

4 (2) The Technology Resource Center shall:

5 (a) Serve ~~the office and other~~ customers as an
6 information-system utility.

7 (b) Cooperate with customers to offer, develop, and
8 support a wide range of services and applications needed by
9 users of the Technology Resource Center.

10 ~~(c) Cooperate with the Florida Legal Resource Center~~
11 ~~of the Department of Legal Affairs and other state agencies to~~
12 ~~develop and provide access to repositories of legal~~
13 ~~information throughout the state.~~

14 ~~(c)(d)~~ Cooperate with the Agency for Enterprise
15 Information Technology ~~office~~ to identify and facilitate
16 interdepartmental networking and integration of network
17 services for its customers.

18 ~~(d)(e)~~ Assist customers in testing and evaluating new
19 and emerging technologies that could be used to meet the needs
20 of the state.

21 (3) The department ~~office~~ may contract with customers
22 to provide any combination of services necessary for agencies
23 to fulfill their responsibilities and to serve their users.

24 (4) The Technology Resource Center may plan, design,
25 establish pilot projects for, and conduct experiments with
26 information technology resources, and may implement
27 enhancements in services when such implementation is
28 cost-effective. Funding for experiments and pilot projects
29 shall be derived from service revenues and may not exceed 5
30 percent of the service revenues for the Technology Resource
31 Center for any single fiscal year. Any experiment, pilot

1 project, plan, or design must be approved by the Agency for
2 Enterprise Information Technology Chief Information Officer.

3 (5) Beginning in the 2007-2008 fiscal year and
4 annually thereafter, the Technology Resource Center shall
5 submit to the Agency for Enterprise Information Technology for
6 its review and approval a copy of its service rates and
7 cost-allocation plan. When appropriate, the Agency for
8 Enterprise Information Technology shall request review and
9 comment from the customers and Agency Chief Information
10 Officers Council concerning the center's proposed rate
11 structure.

12 ~~(5) Notwithstanding the provisions of s. 216.272, the~~
13 ~~Technology Resource Center may spend funds in the reserve~~
14 ~~account of the Technology Enterprise Operating Trust Fund for~~
15 ~~enhancements to center operations or for information~~
16 ~~technology resources. Any expenditure of reserve account funds~~
17 ~~must be approved by the Chief Information Officer. Any funds~~
18 ~~remaining in the reserve account at the end of the fiscal year~~
19 ~~may be carried forward and spent as approved by the Chief~~
20 ~~Information Officer, provided that such approval conforms to~~
21 ~~any applicable provisions of chapter 216.~~

22 Section 8. Section 282.3055, Florida Statutes, is
23 amended to read:

24 282.3055 Agency chief information officer;
25 appointment; duties.--

26 (1)(a) Each agency head shall ~~To assist the State~~
27 ~~Technology Officer in carrying out the enterprise resource~~
28 ~~planning and management responsibilities, the Chief~~
29 ~~Information Officer may~~ appoint or contract for an agency
30 chief information officer. ~~This position may be full time or~~
31 ~~part time.~~

1 (b) The agency chief information officer must, at a
2 minimum, have knowledge and experience in both management and
3 information technology resources.

4 (2) The duties of the agency chief information officer
5 include, but are not limited to:

6 (a) Coordinating and facilitating the agency
7 ~~enterprise resource~~ planning and management of agency
8 information technology services projects and initiatives.

9 ~~(b) Preparing an agency annual report on enterprise~~
10 ~~resource planning and management pursuant to s. 282.3063.~~

11 ~~(b)(c) Developing and~~ Implementing agency information
12 technology enterprise resource planning and management
13 ~~policies,~~ procedures, guidelines, and standards that are
14 consistent with the procedures and standards adopted by the
15 Agency for Enterprise Information Technology, including
16 ~~specific policies and procedures for review and approval of~~
17 ~~the agency's purchases of information technology resources in~~
18 ~~accordance with the office's policies and procedures.~~

19 ~~(c)(d) Advising agency senior management as to the~~
20 information technology enterprise resource planning and
21 management needs of the agency ~~for inclusion in planning~~
22 ~~documents required by law.~~

23 ~~(d)(e) Assisting in the development and prioritization~~
24 of the information technology enterprise resource needs for
25 ~~planning and management schedule of the agency's legislative~~
26 budget request.

27 (e) Assisting the Agency for Enterprise Information
28 Technology in the development of strategies for implementing
29 the utility information technology services established in law
30 and developing recommendations for enterprise information
31 technology policy.

1 Section 9. Section 282.315, Florida Statutes, is
2 amended to read:

3 282.315 Agency Chief Information Officers Council;
4 creation.--The Legislature finds that enhancing communication,
5 consensus building, coordination, and facilitation with
6 respect to issues concerning ~~of statewide~~ enterprise
7 information technology resources are resource planning and
8 ~~management issues is~~ essential to improving the state
9 management of such resources.

10 (1) There is created an Agency Chief Information
11 Officers Council to:

12 (a) Enhance communication and collaboration among the
13 Agency Chief Information Officers and the Agency for
14 Enterprise Information Technology ~~by sharing enterprise~~
15 ~~resource planning and management experiences and exchanging~~
16 ~~ideas.~~

17 (b) Identify and recommend ~~Facilitate the sharing of~~
18 best practices that are characteristic of highly successful
19 technology organizations, as well as exemplary information
20 technology applications for use by ~~of~~ state agencies, and
21 assist the Agency for Enterprise Information Technology in
22 developing strategies for implementing the utility information
23 technology services and enterprise information technology
24 projects established in law and developing recommendations for
25 enterprise information technology policy.

26 (c) Identify efficiency opportunities among state
27 agencies and make recommendations for action to the Agency for
28 Enterprise Information Technology.

29 ~~(d) Serve as an educational forum for enterprise~~
30 ~~resource planning and management issues.~~

31

1 (d)(e) Assist the Agency for Enterprise Information
2 Technology State Technology Office in identifying critical
3 enterprise information technology statewide issues and, when
4 appropriate, make recommendations for solving enterprise
5 resource planning and management deficiencies.

6 (2) Members of the council shall include the Agency
7 Chief Information Officers, including the Chief Information
8 Officers of the agencies and governmental entities enumerated
9 in s. 282.0055 ~~s. 282.3031~~, except that there shall be one
10 Chief Information Officer selected by the state attorneys and
11 one Chief Information Officer selected by the public
12 defenders. The council shall appoint a chair, vice chair, and
13 secretary from among its members to a 1-year term each. The
14 council shall establish procedures governing council business.
15 ~~The chairs, or their designees, of the Florida Financial~~
16 ~~Management Information System Coordinating Council, the~~
17 ~~Criminal and Juvenile Justice Information Systems Council, and~~
18 ~~the Health Information Systems Council shall represent their~~
19 ~~respective organizations on the Chief Information Officers~~
20 ~~Council as voting members.~~

21 (3) The Agency for Enterprise Information Technology
22 ~~State Technology Office~~ shall provide administrative support
23 to the council.

24 Section 10. Section 282.318, Florida Statutes, is
25 amended to read:

26 282.318 Security of data and information technology
27 resources.--

28 (1) This section may be cited as the "Security of Data
29 and Information Technology Infrastructure Resources Act."

30 (2)(a) The Agency for Enterprise Information
31 Technology State Technology Office, in consultation with each

1 agency head, is responsible ~~and accountable~~ for assessing and
2 recommending minimum operating procedures for ensuring
3 ~~assuring~~ an adequate level of security for all data and
4 information technology resources for executive branch agencies
5 created or authorized in statute to perform legislatively
6 delegated functions. To assist the agency in carrying out this
7 responsibility, of each agency head and, to carry out this
8 ~~responsibility,~~ shall, at a minimum:

9 1. Designate an information security manager who shall
10 administer the security program of the each agency for its
11 data and information technology resources.

12 2. Conduct, and ~~periodically~~ update every 3 years, a
13 comprehensive risk analysis to determine the security threats
14 to the data, information, and information technology resources
15 of the each agency. The risk analysis information is
16 confidential and exempt from the provisions of s. 119.07(1),
17 except that such information shall be available to the Auditor
18 General and the Agency for Enterprise Information Technology
19 in performing ~~his or her~~ postauditing duties.

20 3. Develop, and periodically update, written internal
21 policies and procedures that are consistent with the standard
22 operating procedures adopted by the Agency for Enterprise
23 Information Technology in order to ensure to assure the
24 security of the data, information, and information technology
25 resources of the each agency. The internal policies and
26 procedures that which, if disclosed, could facilitate the
27 unauthorized modification, disclosure, or destruction of data
28 or information technology resources are confidential
29 information and exempt from the provisions of s. 119.07(1),
30 except that such information shall be available to the Auditor
31

1 General and the Agency for Enterprise Information Technology
2 in performing ~~his or her~~ postauditing duties.

3 4. Implement appropriate cost-effective safeguards to
4 reduce, eliminate, or recover from the identified risks to the
5 data, information, and information technology resources of the
6 ~~each~~ agency.

7 5. Ensure that periodic internal audits and
8 evaluations of the agency's ~~each~~ security program for the
9 data, information, and information technology resources of the
10 agency are conducted. The results of such internal audits and
11 evaluations are confidential information and exempt from the
12 provisions of s. 119.07(1), except that such information shall
13 be available to the Auditor General and the Agency for
14 Enterprise Information Technology in performing ~~his or her~~
15 postauditing duties.

16 6. Include appropriate security requirements, ~~as~~
17 ~~determined by the State Technology Office, in consultation~~
18 ~~with each agency head,~~ in the written specifications for the
19 solicitation of information technology and information
20 technology resources which are consistent with the standard
21 security operating procedures adopted by the Agency for
22 Enterprise Information Technology.

23 (b) In those instances under this subsection in which
24 the state agency or department ~~State Technology Office~~
25 develops state contracts ~~for use by state agencies,~~ the state
26 agency or department ~~office~~ shall include appropriate security
27 requirements in the specifications for the solicitation for
28 state contracts for procuring information technology or
29 information technology resources.

30 (3) The Agency for Enterprise Information Technology
31 shall designate a chief information security officer.

1 (4) The Agency for Enterprise Information Technology
2 shall develop standards and templates for conducting
3 comprehensive risk analyses and information security audits by
4 state agencies, assist agencies in their compliance with the
5 provisions of this section, pursue appropriate funding
6 provided for the purpose of enhancing domestic security,
7 establish minimum guidelines and procedures for the recovery
8 of information technology following a disaster, and provide
9 training for agency information security managers.

10 (5) The Agency for Enterprise Information Technology
11 may adopt rules pursuant to ss. 120.536(1) and 120.54 relating
12 to information security and to administer the provisions of
13 this section.

14 ~~(3) Notwithstanding subsection (2), the Department of~~
15 ~~Management Services, hereafter referred to as the~~
16 ~~"department," in consultation with each agency head, is~~
17 ~~responsible for coordinating, assessing, and recommending~~
18 ~~minimum operating procedures for ensuring an adequate level of~~
19 ~~security for data and information technology resources. To~~
20 ~~assist the department in carrying out this responsibility,~~
21 ~~each agency shall, at a minimum:~~

22 ~~(a) Designate an information security manager who~~
23 ~~shall administer the security program of the agency for its~~
24 ~~data and information technology resources.~~

25 ~~(b) Conduct, and update every 3 years, a comprehensive~~
26 ~~risk analysis to determine the security threats to the data,~~
27 ~~information, and information technology resources of the~~
28 ~~agency. The risk analysis information made confidential and~~
29 ~~exempt under subparagraph (2)(a)2. shall be available to the~~
30 ~~Auditor General in performing his or her postauditing duties.~~

31

1 ~~(c) Develop, and periodically update, written internal~~
2 ~~policies and procedures that are consistent with the standard~~
3 ~~operating procedures recommended by the department to ensure~~
4 ~~the security of the data and information technology resources~~
5 ~~of the agency. The internal policies and procedures that, if~~
6 ~~disclosed, could facilitate the unauthorized modification,~~
7 ~~disclosure, or destruction of data or information technology~~
8 ~~resources made confidential and exempt under subparagraph~~
9 ~~(2)(a)3. shall be available to the Auditor General in~~
10 ~~performing his or her postauditing duties.~~

11 ~~(d) Implement appropriate cost effective safeguards to~~
12 ~~reduce, eliminate, or recover from the identified risks to the~~
13 ~~data and information technology resources of the agency.~~

14 ~~(e) Ensure that periodic internal audits and~~
15 ~~evaluations of the security program for the data, information,~~
16 ~~and information technology resources of the agency are~~
17 ~~conducted. The results of such internal audits and evaluations~~
18 ~~made confidential and exempt under subparagraph (2)(a)5. shall~~
19 ~~be available to the Auditor General in performing his or her~~
20 ~~postauditing duties.~~

21 ~~(f) Include appropriate security requirements in the~~
22 ~~written specifications for the solicitation of information~~
23 ~~technology resources that are consistent with the standard~~
24 ~~security operating procedures as recommended by the~~
25 ~~department.~~

26 ~~(g) This subsection expires July 1, 2007.~~

27

28 ~~In those instances under this subsection in which the~~
29 ~~department develops state contracts for use by state agencies,~~
30 ~~the department shall include appropriate security requirements~~
31

1 ~~in the specifications for the solicitation for state contracts~~
2 ~~for procuring information technology resources.~~

3 ~~(4) In order to ensure the security of data,~~
4 ~~information, and information technology resources, the~~
5 ~~department shall establish the Office of Information Security~~
6 ~~and shall designate a Chief Information Security Officer as~~
7 ~~the head of the office. The office shall coordinate its~~
8 ~~activities with the Agency Chief Information Officers Council~~
9 ~~as established in s. 282.315. The office is responsible for~~
10 ~~developing a strategic plan for information technology~~
11 ~~security which shall be submitted by March 1, 2007, to the~~
12 ~~Executive Office of the Governor, the President of the Senate,~~
13 ~~and the Speaker of the House of Representatives; developing~~
14 ~~standards and templates for conducting comprehensive risk~~
15 ~~analyses and information security audits by state agencies;~~
16 ~~assisting agencies in their compliance with the provisions of~~
17 ~~this section; establishing minimum standards for the recovery~~
18 ~~of information technology following a disaster; and conducting~~
19 ~~training for agency information security managers. This~~
20 ~~subsection expires July 1, 2007.~~

21 Section 11. Subsection (2) of section 282.322, Florida
22 Statutes, is amended to read:

23 282.322 Special monitoring process for designated
24 information resources management projects.--

25 (2) The Agency for Enterprise Information Technology
26 ~~Project Management Office of the State Technology Office~~ shall
27 report on any information technology project that the
28 Legislature projects the office identifies as high-risk to the
29 Executive Office of the Governor, the President of the Senate,
30 the Speaker of the House of Representatives, and the chairs of
31 the appropriations committees. Within the limits of current

1 appropriations, the Agency for Enterprise Information
2 ~~Technology Project Management Office~~ shall monitor and report
3 on such high-risk information technology projects, and assess
4 the levels of risks associated with proceeding to the next
5 stage of the project.

6 Section 12. Paragraph (a) of subsection (4) of section
7 216.023, Florida Statutes, is amended to read:

8 216.023 Legislative budget requests to be furnished to
9 Legislature by agencies.--

10 (4)(a) The legislative budget request must contain for
11 each program:

12 1. The constitutional or statutory authority for a
13 program, a brief purpose statement, and approved program
14 components.

15 2. Information on expenditures for 3 fiscal years
16 (actual prior-year expenditures, current-year estimated
17 expenditures, and agency budget requested expenditures for the
18 next fiscal year) by appropriation category.

19 3. Details on trust funds and fees.

20 4. The total number of positions (authorized, fixed,
21 and requested).

22 5. An issue narrative describing and justifying
23 changes in amounts and positions requested for current and
24 proposed programs for the next fiscal year.

25 6. Information resource requests.

26 7. Supporting information, including applicable
27 cost-benefit analyses, business case analyses, performance
28 contracting procedures, service comparisons, and impacts on
29 performance standards for any request to outsource or
30 privatize agency functions. The cost-benefit and business case
31 analyses must include an assessment of the impact on each

1 affected activity from those identified in accordance with
2 paragraph (b). Performance standards must include standards
3 for each affected activity and be expressed in terms of the
4 associated unit of activity.

5 8. An evaluation of any major outsourcing and
6 privatization initiatives undertaken during the last 5 fiscal
7 years having aggregate expenditures exceeding \$10 million
8 during the term of the contract. The evaluation shall include
9 an assessment of contractor performance, a comparison of
10 anticipated service levels to actual service levels, and a
11 comparison of estimated savings to actual savings achieved.
12 Consolidated reports issued by the Department of Management
13 Services may be used to satisfy this requirement.

14 9. Supporting information for any proposed
15 consolidated financing of deferred-payment commodity contracts
16 including guaranteed energy performance savings contracts.
17 Supporting information must also include narrative describing
18 and justifying the need, baseline for current costs, estimated
19 cost savings, projected equipment purchases, estimated
20 contract costs, and return on investment calculation.

21 10. In accordance with the instructions for
22 legislative budget requests for new information technology
23 projects that exceed \$5 million in total cost, the statutory
24 reference of the existing or proposed substantive policy that
25 establishes and defines the project's governance structure,
26 scope, main business objectives that must be achieved, and
27 completion timeframes. Information technology budget requests
28 for the continuance of existing hardware and software
29 maintenance agreements, renewal of existing software licensing
30 agreements, or the replacement of desktop units with new

31

1 technology that is similar to the technology currently in use
2 are exempt from this requirement.

3 Section 13. Unless otherwise specified in this act,
4 the Department of Management Services, established in s.
5 20.22, Florida Statutes, shall assume the duties and
6 responsibilities of the State Technology Office as set forth
7 in ss. 215.322(2), 282.103, 282.104, 282.105, 282.106,
8 282.107, 282.1095, 282.111, 282.21, 282.22, 288.1092,
9 288.1093, 365.171, 365.172, 365.173, and 943.0313, Florida
10 Statutes.

11 Section 14. Sections 186.022, 282.005, 282.101,
12 282.102, 282.23, 282.3031, 282.3032, 282.3063, and 282.310,
13 Florida Statutes, and subsection (24) of section 287.057,
14 Florida Statutes, are repealed.

15 Section 15. Paragraph (d) of subsection (2) of section
16 215.95, Florida Statutes, is amended to read:

17 215.95 Financial Management Information Board.--

18 (2) To carry out its duties and responsibilities, the
19 board shall by majority vote:

20 ~~(d) By March 1 of each year, approve a strategic plan~~
21 ~~pursuant to the requirements set forth in s. 186.022(9).~~

22 Section 16. Paragraph (a) of subsection (3) of section
23 215.96, Florida Statutes, is amended to read:

24 215.96 Coordinating council and design and
25 coordination staff.--

26 (3) The coordinating council, assisted by the design
27 and coordination staff, shall have the following duties,
28 powers, and responsibilities pertaining to the Florida
29 Financial Management Information System:

30 (a) To conduct such studies and to establish
31 committees, workgroups, and teams to develop recommendations

1 for rules, policies, procedures, principles, and standards to
2 the board as necessary to assist the board in its efforts to
3 design, implement, and perpetuate a financial management
4 information system, including, but not limited to, the
5 establishment of common data codes, and the development of
6 integrated financial management policies that address the
7 information and management needs of the functional owner
8 subsystems, ~~and the development of a strategic plan pursuant~~
9 ~~to the requirements set forth in s. 186.022.~~ The coordinating
10 council shall make available a copy of the approved plan in
11 writing or through electronic means to each of the
12 coordinating council members, the fiscal committees of the
13 Legislature, and any interested person.

14 Section 17. Subsection (1) of section 282.103, Florida
15 Statutes, is amended to read:

16 282.103 SUNCOM Network; exemptions from the required
17 use.--

18 (1) There is created within the Department of
19 Management Services State Technology Office the SUNCOM Network
20 which shall be developed to serve as the state communications
21 system for providing local and long-distance communications
22 services to state agencies, political subdivisions of the
23 state, municipalities, state universities, and nonprofit
24 corporations pursuant to ss. 282.103-282.111 ~~ss.~~
25 ~~282.101-282.111~~. The SUNCOM Network shall be developed to
26 transmit all types of communications signals, including, but
27 not limited to, voice, data, video, image, and radio. State
28 agencies shall cooperate and assist in the development and
29 joint use of communications systems and services.

30 Section 18. Subsection (1) of section 282.107, Florida
31 Statutes, is amended to read:

1 282.107 SUNCOM Network; criteria for usage.--

2 (1) The Department of Management Services State
3 ~~Technology Office~~ shall periodically review the qualifications
4 of subscribers using the state SUNCOM Network and shall
5 terminate services provided to any facility not qualified
6 pursuant to ss. 282.103-282.111 ~~ss. 282.101-282.111~~ or rules
7 adopted hereunder. In the event of nonpayment of invoices by
8 subscribers whose SUNCOM Network invoices are paid from
9 sources other than legislative appropriations, such nonpayment
10 represents good and sufficient reason to terminate service.

11 Section 19. Paragraph (b) of subsection (3) and
12 subsection (4) of section 339.155, Florida Statutes, are
13 amended to read:

14 339.155 Transportation planning.--

15 (3) FORMAT, SCHEDULE, AND REVIEW.--The Florida
16 Transportation Plan shall be a unified, concise planning
17 document that clearly defines the state's long-range
18 transportation goals and objectives and documents the
19 department's short-range objectives developed to further such
20 goals and objectives. The plan shall include a glossary that
21 clearly and succinctly defines any and all phrases, words, or
22 terms of art included in the plan, with which the general
23 public may be unfamiliar and shall consist of, at a minimum,
24 the following components:

25 (b) A short-range component documenting the short-term
26 objectives and strategies necessary to implement the goals and
27 long-term objectives contained in the long-range component.
28 The short-range component must define the relationship between
29 the long-range goals and the short-range objectives, specify
30 those objectives against which the department's achievement of
31 such goals will be measured, and identify transportation

1 strategies necessary to efficiently achieve the goals and
2 objectives in the plan. It must provide a policy framework
3 within which the department's legislative budget request, the
4 strategic information resource management plan, and the work
5 program are developed. The short-range component shall serve
6 as the department's annual agency strategic plan pursuant to
7 s. 186.021. The short-range component shall be developed
8 ~~consistent with the requirements of s. 186.022 and~~ consistent
9 with available and forecasted state and federal funds. ~~In~~
10 ~~addition to those entities listed in s. 186.022,~~ The
11 short-range component shall also be submitted to the Florida
12 Transportation Commission.

13 (4) ANNUAL PERFORMANCE REPORT.--The department shall
14 develop an annual performance report evaluating the operation
15 of the department for the preceding fiscal year. The report,
16 ~~which shall meet the requirements of s. 186.022,~~ shall also
17 include a summary of the financial operations of the
18 department and shall annually evaluate how well the adopted
19 work program meets the short-term objectives contained in the
20 short-range component of the Florida Transportation Plan. ~~In~~
21 ~~addition to the entities listed in s. 186.022,~~ This
22 performance report shall ~~also~~ be submitted to the Florida
23 Transportation Commission and the legislative appropriations
24 and transportation committees.

25 Section 20. Subsection (7) of section 381.90, Florida
26 Statutes, is amended to read:

27 381.90 Health Information Systems Council; legislative
28 intent; creation, appointment, duties.--

29 (7) The council's duties and responsibilities include,
30 but are not limited to, the following:

31

1 ~~(a) By June 1 of each year, to develop and approve a~~
2 ~~strategic plan pursuant to the requirements set forth in s.~~
3 ~~186.022.~~

4 (a)(b) To develop a mission statement, goals, and plan
5 of action, ~~based on the guiding principles specified in s.~~
6 ~~282.3032,~~ for the identification, collection, standardization,
7 sharing, and coordination of health-related data across
8 federal, state, and local government and private-sector
9 entities.

10 (b)(c) To develop a review process to ensure
11 cooperative planning among agencies that collect or maintain
12 health-related data.

13 (c)(d) To create ad hoc issue-oriented technical
14 workgroups, on an as-needed basis, to make recommendations to
15 the council.

16 Section 21. Subsection (4) of section 403.973, Florida
17 Statutes, is amended to read:

18 403.973 Expedited permitting; comprehensive plan
19 amendments.--

20 ~~(4) The office may delegate to a Quick Permitting~~
21 ~~County designated under s. 288.1093 the responsibility for~~
22 ~~convening regional permit teams and, in consultation with the~~
23 ~~office, for certifying as eligible for expedited review~~
24 ~~projects that meet the criteria of subsection (3) and that are~~
25 ~~consistent with the economic goals of the county. In order to~~
26 ~~receive such a delegation, the Quick Permitting County must~~
27 ~~hold the public hearing required under subsection (7) and~~
28 ~~agree to execute a memorandum of agreement for each qualified~~
29 ~~project.~~

30 Section 22. Paragraph (h) of subsection (8) of section
31 408.05, Florida Statutes, is amended to read:

1 408.05 Florida Center for Health Information and
2 Policy Analysis.--

3 (8) STATE CONSUMER HEALTH INFORMATION AND POLICY
4 ADVISORY COUNCIL.--

5 (h) The council's duties and responsibilities include,
6 but are not limited to, the following:

7 1. To develop a mission statement, goals, and a plan
8 of action ~~based on the guiding principles specified in s.~~
9 ~~282.3032~~ for the identification, collection, standardization,
10 sharing, and coordination of health-related data across
11 federal, state, and local government and private sector
12 entities.

13 2. To develop a review process to ensure cooperative
14 planning among agencies that collect or maintain
15 health-related data.

16 3. To create ad hoc issue-oriented technical
17 workgroups on an as-needed basis to make recommendations to
18 the council.

19 Section 23. Paragraph (b) of subsection (4) of section
20 420.0003, Florida Statutes, is amended to read:

21 420.0003 State housing strategy.--

22 (4) IMPLEMENTATION.--The Department of Community
23 Affairs and the Florida Housing Finance Corporation in
24 carrying out the strategy articulated herein shall have the
25 following duties:

26 (b) The agency strategic plan of the Department of
27 Community Affairs, ~~prepared pursuant to the provisions of ss.~~
28 ~~186.021 and 186.022~~, shall include specific goals, objectives,
29 and strategies that implement the housing policies in this
30 section and shall include the strategic plan for housing
31 production prepared by the corporation pursuant to s. 420.511.

1 Section 24. Subsection (2) of section 420.511, Florida
2 Statutes, is amended to read:

3 420.511 Business plan; strategic plan; annual
4 report.--

5 (2) The corporation, in equal partnership with the
6 department, shall develop annually a strategic plan for the
7 provision of affordable housing in Florida as part of the
8 department's agency strategic plan required pursuant to
9 chapter 186. In part, the plan shall include provisions that
10 maximize the abilities of the corporation and the department
11 to implement the state housing strategy established under s.
12 420.0003, to respond to federal housing initiatives, and to
13 develop programs in a manner that is more responsive to the
14 needs of public and private partners. The plan shall be
15 developed on a schedule consistent with that established by s.
16 ~~ss. 186.021 and 186.022~~. For purposes of this act, the
17 executive director or his or her designee shall serve as the
18 corporation's representative to achieve a coordinated and
19 integrated planning relationship with the department.

20 Section 25. Subsection (3) of section 943.08, Florida
21 Statutes, is amended to read:

22 943.08 Duties; Criminal and Juvenile Justice
23 Information Systems Council.--

24 (3) The council shall develop and approve a long-range
25 program ~~strategic~~ plan pursuant to the requirements set forth
26 in s. 186.021 ~~s. 186.022~~. Copies of the approved plan shall be
27 transmitted, electronically or in writing, to the Executive
28 Office of the Governor, the Speaker of the House of
29 Representatives, the President of the Senate, and the council
30 members.

31

1 Section 26. Paragraph (a) of subsection (2) of section
2 1001.26, Florida Statutes, is amended to read:

3 1001.26 Public broadcasting program system.--

4 (2)(a) The Department of Education is responsible for
5 implementing the provisions of this section ~~pursuant to s.~~
6 ~~282.102~~ and may employ personnel, acquire equipment and
7 facilities, and perform all duties necessary for carrying out
8 the purposes and objectives of this section.

9 Section 27. For the 2007-2008 fiscal year, the sum of
10 \$561,251 in recurring funds from the General Revenue Fund is
11 appropriated and five full-time equivalent positions with an
12 associated salary rate of \$342,577 are authorized to the
13 Agency for Enterprise Information Technology to carry out the
14 activities as provided in this act.

15 Section 28. For the 2007-2008 fiscal year, the sum of
16 \$581,751 in recurring funds from the General Revenue Fund is
17 appropriated and five full-time equivalent positions with an
18 associated salary rate of \$342,577 are authorized to the
19 Agency for Enterprise Information Technology to carry out the
20 duties of information security as provided in this act.

21 Section 29. The Agency for Enterprise Information
22 Technology, in collaboration with the Agency Chief Information
23 Officers Council, may implement a program to provide
24 professional development and training opportunities for agency
25 chief information officers. For the 2007-2008 fiscal year, the
26 sum of \$ in recurring funds from the General Revenue Fund
27 is appropriated to the Agency for Enterprise Information
28 Technology to implement this program.

29 Section 30. This act shall take effect July 1, 2007.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1974

The Committee Substitute creates and funds an Agency for Enterprise Information Technology headed by the Governor and Cabinet to be located in the Executive Office of the Governor. The agency will develop a work plan for up to several different enterprise, or large scale, government-wide technology initiatives beginning in 2008-2009. The CS makes a number of conforming changes to the Statutes to reflect the succession of the Agency to the role played by the former State Technology Office. It specifically authorizes and funds an information security presence in state government and calls for the development, but does not yet fund, an enhancement of information technology leadership at the state agency level.